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| APPLICATION NO.           | FILING DATE                          | FIRST NAMED INVENTOR         | ATTORNEY DOCKET NO.  | CONFIRMATION NO. |
|---------------------------|--------------------------------------|------------------------------|----------------------|------------------|
| 09/350,401                | 07/08/1999                           | ALESSANDRO SETTE             | 2473.0060008/paj/m-m | 8008             |
| 50710 755<br>STERNE KESSI | 90 03/21/2007<br>LER, GOLDSTEIN & FO | EXAMINER SCHWADRON, RONALD B |                      |                  |
| 1100 NEW YOR              | K AVE.                               |                              |                      |                  |
| WASHINGTON,               | DC 20005                             | ART UNIT                     | PAPER NUMBER         |                  |
|                           |                                      | 1644                         |                      |                  |
| SHORTENED STATUTORY I     | PERIOD OF RESPONSE                   | MAIL DATE                    | DELIVER              | Y MODE           |
| 30 DA                     | YS                                   | 03/21/2007                   | PAPER                |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| Notice of No | on-( | Comp       | oliant |  |
|--------------|------|------------|--------|--|
| Amendment (  | (37  | <b>CFR</b> | 1.121  |  |

| Application No.      | Applicant(s) |   |  |
|----------------------|--------------|---|--|
| 09/350,401           | SETTE ET AL. |   |  |
| Examiner             | Art Unit     | _ |  |
| Ron Schwadron, Ph.D. | 1644         |   |  |

| Amendment (37 CFR 1.121)    Examiner   Ron Schwadron, Ph.D.   1644  | Notice of Non-Compliant  | 09/350,401  | SETTE ET AL.  |  |  |  |
|---|--|---|---|--|--|--|
| Ron Schwadron, Ph.D.   1644   |  | Examiner  | Art Unit  |  |  |  |
| The amendment document filed on is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required. THE FOLLOWING MARKED (X) TIEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:    1. Amendments to the specification:  |  | Ron Schwadron, Ph.D.  | 1644  |  |  |  |
| 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required. THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:  □ 1. Amendments to the specification: □ 1. Amendments to the specification: □ 2. Abstract: □ A Not presented on a separate sheet. 37 CFR 1.72. □ 3. Amendments to the drawings: □ A. The drawings are not properly identified in the top margin as "Replacement Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). □ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.94 are required. □ C. Other □ 4. Amendments to the claims: □ A. A complete listing of all of the claims is not present. □ R. The listing of claims does not include the text of all pending claims (including withdrawn claims) □ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Wildrawn-currently amended), (Canceled), (Previously presented), (New), (Not entered), (Wildrawn-currently amended), (Canceled), (Previously presented), (New), (Not entered), (Wildrawn-currently amended). □ D. The claims of this amendment paper have not been presented in ascending numerical order. □ E. Other: □ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.  TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:  1. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected amendment must be resubmitted.  2. Applicant is given one month, or thirty (30) days, whic | The MAILING DATE of this communication appe  | ears on the cover sheet with the co   | orrespondence address   |  |  |  |
| 1. Amendments to the specification:   |  |   |   |  |  |  |
| A Not presented on a separate sheet. 37 CFR 1.72.  B. Other   | <ul> <li>1. Amendments to the specification:</li> <li>A. Amended paragraph(s) do not include in a B. New paragraph(s) should not be under</li> </ul>   | markings.   | BE NON-COMPLIANT:   |  |  |  |
| A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(g).  B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.  C. Other  | A. Not presented on a separate sheet. 37   | CFR 1.72.   |   |  |  |  |
| 4. Amendments to the claims:  | <ul> <li>□ A. The drawings are not properly identified "Annotated Sheet" as required by 37 C</li> <li>□ B. The practice of submitting proposed drawing amended figures, without mar</li> </ul>   | FR 1.121(d). awing correction has been elimin   | ated. Replacement drawings  |  |  |  |
| TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:  1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.  2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.  Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.  Failure to timely respond to this notice will result in:  Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or  Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.  Legal Instruments Examiner (LIE), if applicable  | 4. Amendments to the claims:  A. A complete listing of all of the claims is  B. The listing of claims does not include th  C. Each claim has not been provided with of each claim cannot be identified. Not number by using one of the following s (Previously presented), (New), (Not en D. The claims of this amendment paper had E. Other:  | ne text of all pending claims (inclute the proper status identifier, and a te: the status of every claim mustatus identifiers: (Original), (Currettered), (Withdrawn) and (Withdrawe not been presented in ascential) | as such, the individual status to be indicated after its claim ently amended), (Canceled), wn-currently amended). ding numerical order. |  |  |  |
| 1. Applicant is given <b>no new time period</b> if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the <b>entire corrected amendment</b> must be resubmitted.  2. Applicant is given <b>one month</b> , or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a <i>Quayle</i> action. If any of above boxes 1. to 4. are checked, the correction required is only the <b>corrected section</b> of the non-compliant amendment in compliance with 37 CFR 1.121. <b>Extensions of time</b> are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a <i>Quayle</i> action. <b>Failure to timely respond</b> to this notice will result in: <b>Abandonment</b> of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a <i>Quayle</i> action; or <b>Non-entry</b> of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment. <b>Legal Instruments Examiner (LIE), if applicable</b>   | For further explanation of the amendment format required   | d by 37 CFR 1.121, see MPEP §   | 714.  |  |  |  |
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| correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.  Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.  Failure to timely respond to this notice will result in:  Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or  Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.  Legal Instruments Examiner (LIE), if applicable  | filed after allowance. If applicant wishes to resubmit   | npliant amendment is an after-fin<br>the non-compliant after-final ame  | al amendment or an amendment<br>endment with corrections, the   |  |  |  |
| amendment or an amendment filed in response to a <i>Quayle</i> action.  Failure to timely respond to this notice will result in:  Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a <i>Quayle</i> action; or  Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.  Legal Instruments Examiner (LIE), if applicable  | correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a <i>Quayle</i> action. If any of above boxes 1. to 4. are checked, the correction required is only the <b>corrected section</b> of the  |   |   |  |  |  |
| Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a <i>Quayle</i> action; or  Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.  Legal Instruments Examiner (LIE), if applicable  Telephone No.   | Extensions of time are available under 37 CFR 1 amendment or an amendment filed in response to   | .136(a) only if the non-compliant a Quayle action.  | amendment is a non-final  |  |  |  |
|   | Abandonment of the application if the non-confiled in response to a Quayle action; or Non-entry of the amendment if the non-compliant is the non-compliant in the non-compliant i | npliant amendment is a non-final  |   |  |  |  |
|   |  | Telephon  | e No.   |  |  |  |

U.S. Patent and Trademark Office PTOL-324 (01-06)

Part of Paper No. 20070366 Notice of Non-Compliant Amendment;(37,125,125),MADRON

Continuation of 1(c) Other: The peptide of SEQ. ID. No. 3571 in Table XXIV B. is not the same peptide as listed in said Table in the specification as originally filed (missing N  $\,$  terminal R) .